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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
3100 Port of Benton Blvd • Richland, WA 99352 • (509) 372-7950

January 9, 2008

Mr. David A. Brockman, Manager
Richland Operations Office
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352

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EDMC

Re: Notice of Correction for the Operation of Diesel Engines at the Hanford 336 Building

Dear Mr. Brockman:

This letter communicates a Notice of Correction to the Department of Energy (USDOE) from the Department of Ecology. This Notice of Correction concerns a permit deviation of the Hanford 336 Building operations reported by your contractor staff on July 25, 2007 (Reference 1).

The email report (Reference 1) identified the installation and operation of diesel engines at the Hanford 336 Building in violation of Approval Condition 1.3.2.1.1 of Order DE06NWP-002 (Reference 2).

We met with your staff and identified by letter (Reference 3) information to determine the extent and consequences of the violation of this permit condition. Information USDOE provided (Reference 4) detailed your self-identification of:

- The non-compliant condition.
- The cessation of operation and removal of non-compliant engines,
- The installation and operation of compliant engines.
- The root cause of the noncompliance.

Ecology is satisfied with your assessment and the content of your response.

Approval Order DE06NWP-002 was issued in accordance with provisions of Chapter 70.94.331(1) and 70.94.141(3) Revised Code of Washington (RCW). The Order established limitations and requirements on your operation. Violation of Approval Condition 1.3.2.1.1 of Order DE06NWP-002 is a violation of an emissions limit and unlawful (RCW 70.94.040). Ecology finds that the deviation from the permit condition is not excusable under provisions of the Washington Administrative Code (WAC) 173-400-107.

Considering that USDOE reported the deviation and quickly returned to compliance, Ecology hereby issues a **Notice of Correction** pursuant to WAC 173-400-230, RCW 43.05.060 and RCW 70.94.430(2).

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Within 90 days after the receipt of this notice, USDOE is required to implement a formal process for assuring incorporation and implementation of permit requirements in your project-specific documentation. Demonstration or documentation of incorporation and implementation of this formalized process, along with an **Assurance of Discontinuance** [WAC 173-400-230(3)], must be submitted to Ecology within 30 days of formal process implementation. Our review and concurrence with your process and Assurance of Discontinuance is required to close this corrective action order.

Please note that a Notice of Correction is not a formal enforcement action, is not subject to appeal, and is a public record. If USDOE fails to comply with this notice, Ecology may elect to issue a formal enforcement action pursuant to WAC 173-400-230. Your delivery, by mail or in person, of the above request is required within 90 days of your receipt of this letter.

If you have questions, please contact me at 509-372-7924 or Oliver Wang at 509-372-7932.

Sincerely,



Ron Skinnarland
Waste Management Section Manager
Nuclear Waste Program

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References:

1. Email Transmittal, from Rodger Woodruff, Pacific Northwest National Laboratory, to Oliver Wang, Ecology, *Report of a Deviation from Approval Order DE06NWP-002*, dated July 25, 2007.
2. Approval Order DE06NWP-002, *Proposed Project Modification Consisting of Installing and Operating Two Diesel Driven Compressor Units to Support Equipment Testing at the Hanford 300 Area, 336 Building*, issued July 20, 2006. 0070283
3. Letter from Ron Skinnarland, Ecology, to David A. Brockman, United States Department of Energy, Excess Emissions Notification in the Operation of Diesel Engines at the Hanford 336 Building; Notice of Violation and Requirement for Information, dated October 25, 2007. 0074215
4. Letter from David A. Brockman, United States Department of Energy, to Ron Skinnarland, Ecology, Response to Notice of Violation and Requirement for Information for Excess Emissions Notification in the Operation of Two Diesel Engines at the Hanford 336 Building, dated December 6, 2007. 0074705

cc: See next page

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cc: Mary Jarvis, USDOE
Cheryl Duchsherer, PNNL
Rodger Woodruff, PNNL
Stuart Harris, CTUIR
Gabriel Bohnee, NPT
Russell Jim, YN
Susan Leckband, HAB
Ken Niles, ODOE
John Martell, WDOH
Administrative Record: AIR Permits *H-0-7*
Environmental Portal